

Attorney Work Product/Ex. 5

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Begin forwarded message:

From: "Smith, Paula" <Smith.Paula@epa.gov>
Date: May 23, 2016 at 1:03:31 PM MDT
To: R8 GKM Leadership Team <R8_GKM_LeadershipTeam@epa.gov>
Subject: Fwd: ABQ Journal - NM sues EPA for \$136 million over mine spill

FYI

Sent from my iPhone

Begin forwarded message:

From: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Date: May 23, 2016 at 1:02:29 PM MDT
To: "StClair, Christie" <StClair.Christie@epa.gov>, "Jenkins, Laura Flynn" <Jenkins.Laura@epa.gov>, "Smith, Paula" <Smith.Paula@epa.gov>, "Peterson, Cynthia" <Peterson.Cynthia@epa.gov>
Subject: FW: ABQ Journal - NM sues EPA for \$136 million over mine spill

From: Gray, David
Sent: Monday, May 23, 2016 3:01 PM
To: Purchia, Liz <Purchia.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Ruhl, Christopher <Ruhl.Christopher@epa.gov>; Distefano, Nichole <DiStefano.Nichole@epa.gov>; Vaught, Laura <Vaught.Laura@epa.gov>; Brown, Tristan <Brown.Tristan@epa.gov>
Subject: ABQ Journal - NM sues EPA for \$136 million over mine spill

NM sues EPA for \$136 million over mine spill

By OLLIE REED JR. / Journal Staff Writer

Monday, May 23rd, 2016 at 12:06pm

ALBUQUERQUE, N.M. — New Mexico today sued the Environmental Protection Agency and the owners of the Gold King Mine for more than \$136 million over economic setbacks and environmental damages suffered by the state due to the Aug. 5 dumping of more than 3 million gallons of toxic waste into the Animas River.

The suit was filed on behalf of the state by Attorney General Hector Balderas and the New Mexico Environment Department.

It demands reimbursement of \$889,327 for short-term emergency-response costs paid by the state, more than \$6 million to pay for long-term monitoring of the Animas and \$130 million for lost income, taxes, fees and revenues suffered by the state because of the spill.

An EPA crew working at the Gold King Mine north of Silverton, Colo., inadvertently breached a containment wall, releasing contaminated water that spilled into the Animas River. The Animas flows from Colorado into New Mexico and joins with the San Juan River near Farmington.

New Mexico Environment Secretary Ryan Flynn said efforts to resolve issues with the EPA outside of court have proved fruitless.

“I couldn’t tell you what EPA is thinking,” Flynn told the Journal. “EPA seems totally unwilling to resolve this in a collaborative manner.”